

1 William R. Tamayo, Regional Attorney  
2 EQUAL EMPLOYMENT OPPORTUNITY  
3 COMMISSION

HONORABLE LONNY R. SUKO

4 John Stanley, Supervisory Trial Attorney  
5 Carmen Flores, Senior Trial Attorney  
6 May Che, Senior Trial Attorney  
7 Jamal Whitehead, Senior Trial Attorney  
8 EQUAL EMPLOYMENT OPPORTUNITY  
9 COMMISSION  
10 Seattle Field Office  
11 909 First Avenue, Suite 400  
12 Seattle, WA 98104  
13 Tel: 206.220.6853

14 Attorneys for Plaintiffs

15 Blanca E. Rodriguez, WSBA # 27745  
16 Northwest Justice Project  
17 510 Larson Building  
18 6 S. Second Street  
19 Yakima, Washington 98901  
20 Tel: (509) 574-4234 x 22

21 Attorney for Plaintiff-Intervenor

22 **UNITED STATES DISTRICT COURT**  
23 **FOR THE EASTERN DISTRICT OF WASHINGTON**  
24 **AT YAKIMA**

25 EQUAL EMPLOYMENT  
26 OPPORTUNITY COMMISSION

27 Plaintiff,

ELODIA SANCHEZ

Plaintiff-Intervenor,

v.

EVANS FRUIT CO., INC.

No. 10-CV-3033-LRS

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
RECONSIDERATION OF  
PLAINTIFF-INTERVENOR'S  
MOTION FOR PROTECTION  
ORDER**

1 Defendant,  
2  
3 and  
4 JUAN MARIN and ANGELITA  
5 MARIN, a marital community,  
6 Defendants-Intervenors.  
7

8 This matter came before the Court on July 8, 2011, on Plaintiffs' Motion for  
9 Reconsideration in Support for Protective Order. After reviewing the submitted  
10 materials and applicable law the Court is fully informed. The Court finds that  
11 Plaintiffs' immigration status is irrelevant to the claims involved in this case and  
12 that discovery into immigration status and matters related to immigration status  
13 would unduly burden and oppress Plaintiffs by discouraging Plaintiffs from  
14 asserting their rights under employment laws. Plaintiffs are therefore entitled to a  
15 protective order under Fed. R. Civ. P. 26(c)(1), barring all inquiries into  
16 immigration status during discovery and trial. As such, the rationale for  
17 bifurcating the trial is mooted, and the Court will allow the trial to proceed in a  
18 unified fashion.  
19  
20  
21  
22  
23  
24  
25  
26  
27

**ORDER GRANTING PL.'S MOT. FOR RECONS.  
(10-CV-3033-LRS)- 1**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
SEATTLE FIELD OFFICE  
909 FIRST AVENUE, SUITE 400  
SEATTLE, WASHINGTON 98104-1061  
(206) 220-6883

For the reasons given above, it is hereby ORDERED that:

1. Plaintiffs-intervenor's Motion for Protection Order is GRANTED;
2. Trial will proceed in a unified fashion.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
LONNY R. SUKO

United States District Judge

Presented jointly by:

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

WILLIAM TAMAYO  
Regional Attorney

P. DAVID LOPEZ  
General Counsel

JOHN STANLEY  
Supervisory Trial Attorney

JAMES L. LEE  
Deputy General Counsel

CARMEN FLORES  
Senior Trial Attorney

GWENDOLYN Y. REAMS  
Associate General Counsel

MAY CHE  
Senior Trial Attorney

OFFICE OF THE GENERAL  
COUNSEL

131 M Street, NE  
Washington, D.C. 20507

JAMAL N. WHITEHEAD  
Senior Trial Attorney

BY: s/Jamal Whitehead  
Jamal Whitehead

*Attorneys for Plaintiffs*

///

///

**ORDER GRANTING PL.'S MOT. FOR RECONS.  
(10-CV-3033-LRS)- 2**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
SEATTLE FIELD OFFICE  
909 FIRST AVENUE, SUITE 400  
SEATTLE, WASHINGTON 98104-1061  
(206) 220-6883

1 NORTHWEST JUSTICE PROJECT

2 AND

3 BY: s/ Blanca E. Rodriguez  
4 Blanca Rodriguez, WSBA #27745  
5 Northwest Justice Project  
6 510 Larson Building  
7 6 S. Second Street  
8 Yakima, WA 98901  
9 Tel: 509.574.4234  
10 blancar@nwjustice.org

11 *Attorneys for Plaintiff-Intervenor*

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
**ORDER GRANTING PL.'S MOT. FOR RECONS.  
(10-CV-3033-LRS)- 3**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
SEATTLE FIELD OFFICE  
909 FIRST AVENUE, SUITE 400  
SEATTLE, WASHINGTON 98104-1061  
(206) 220-6883

**CERTIFICATE OF SERVICE**

I hereby certify that on June 8, 2011, I electronically filed the foregoing document titled “[PROPOSED] **ORDER GRANTING PLAINTIFF’S MOTION FOR RECONSIDERATION OF PLAINTIFF-INTERVENOR’S MOTION FOR PROTECTION ORDER**” with the Clerk of the Court using the CMF/ECF system, which will send notice of such filing to the following individuals listed below:

Carolyn Cairns	<a href="mailto:cc@stokeslaw.com">cc@stokeslaw.com</a>
Brendan V. Monahan	<a href="mailto:bvm@stokeslaw.com">bvm@stokeslaw.com</a>
Justo G. Gonzalez	<a href="mailto:jgg@stokeslaw.com">jgg@stokeslaw.com</a>
Sarah L. Wixson	<a href="mailto:slw@stokeslaw.com">slw@stokeslaw.com</a>

Stokes Lawrence  
Velikanje Moore & Shore  
120 N. Naches Avenue  
Yakima, WA 98901-2757  
Tel: 509.853.3000

Attorneys for Defendant

Daniel Robbins Case  
[rob@lbplaw.com](mailto:rob@lbplaw.com)  
Larson Berg & Perkins PLLC  
105 North 3rd Street  
PO Box 550  
Yakima, WA 98907  
Tel: 509.457.1515

Attorneys for Defendants-  
Intervenors

s/ Victoria Richardson, EEOC Paralegal